IN THE UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF ALABAMA SOUTHERN DIVISION

WILLIE LEE BROWN, JR., :

Petitioner, :

CIVIL ACTION 10-0586-KD-M

v. :

CRIMINAL ACTION 06-00258-KD-M

UNITED STATES OF AMERICA,

Respondent.

ORDER

After due and proper consideration of all pleadings in this file, and there having been no objections filed, the Recommendation of the Magistrate Judge made under 28 U.S.C. § 636(b)(1)(B) is adopted as the opinion of this Court.

It is ORDERED that Petitioner's Motion to Vacate (Docs. 36, 38) be DENIED and that this action be DISMISSED. It is further ORDERED that a certificate of appealability be DENIED.

DONE this 2nd day of May, 2011.

s/ Kristi K. DuBose
KRISTI K. DuBOSE
UNITED STATES DISTRICT JUDGE